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ARGENTINA PROJECT (S200000044)
U.S. DEPT. OF STATE, A/RPS/TPS
Margaret P. Grafeld, Director
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CINCSO FOR INTAFF, CINCLANT ALSO FOR POLAD

E.O. 12356: DECL:OADR
TAGS: SHUM, PGOV, AR
SUBJ: FORMER ARGENTINE PRESIDENT ARRESTED

REF: BUENOS AIRES 6099

1. [REDACTED] SUMMARY: FORMER PRESIDENT JORGE VIDELA WAS
ARRESTED AUGUST 2 AND WILL FACE CHARGES FOR ALLEGED
HUMAN-RIGHTS ABUSES. OTHER MEMBERS OF FORMER MILITARY
JUNTAS MAY BE NEXT. END SUMMARY.

2. (U) VIDELA ARRESTED

FORMER PRESIDENT, AND RETIRED ARMY LT. GENERAL, JORGE
VIDELA WAS PUT UNDER "RIGOROUS PREVENTIVE ARREST"

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AUGUST 2, WHICH IS SIMILAR TO OUR ARREST WITHOUT BAIL.
IN THE ARGENTINE CONTEXT, THE TERM IMPLIES THE PERSON

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IS CHARGED WITH A SERIOUS OFFENSE. IF FOUND GUILTY BY THE SUPREME COUNCIL OF THE ARMED FORCES, VIDELA WOULD BE LIABLE TO NO LESS THAN TWO YEARS IN PRISON. HE IS BEING TRIED FOR ALLEGED HUMAN-RIGHTS ABUSES.

3. (U) AGOSTI MAY BE NEXT

FORMER AIR FORCE COMMANDER ORLANDO AGOSTI, WHO ALONG WITH VIDELA WAS A MEMBER OF THE MILITARY JUNTA THAT TOOK POWER AFTER THE COUP OF MARCH 24, 1976, APPEARED BEFORE THE COUNCIL AUGUST 2 TO TESTIFY ON SIMILAR CHARGES AND WAS PUT "AT THE DISPOSAL" OF THE COUNCIL, AND WAS DETAINED AT AN AIR FORCE BASE. THE STATUS OF SOMEONE "AT THE DISPOSAL" OF THE COUNCIL IS SIMILAR TO THAT OF SOMEONE IN THE U.S. WHO HAS BEEN INDICTED AND IS AWAITING TRIAL.

4. (U) WHAT ABOUT MASSERA?

THE THIRD MEMBER OF THE FIRST JUNTA, RETIRED ADMIRAL AND NAVY COMMANDER-IN-CHIEF EMILIO MASSERA, CANNOT APPEAR BEFORE THE COUNCIL FOR THE TIME BEING SINCE HE IS IN A NAVY HOSPITAL FOR AN INTESTINAL AILMENT. MASSERA HAS BEEN UNDER ARREST FOR OVER A YEAR ON THE ORDERS OF A CIVIL JUDGE, ON CHARGES OF HAVING BLOCKED A COURT INVESTIGATION INTO THE DISAPPEARANCE AND SUSPECTED MURDER OF BUSINESSMAN FERNANDO BRANCA.

5. [REDACTED] COMMENT: FACED WITH AN OCTOBER DEADLINE, IMPOSED BY A CIVIL COURT, FOR FINISHING THE TRIALS OF THE NINE MEMBERS OF THE FIRST THREE MILITARY JUNTAS, THE [REDACTED]
[REDACTED]

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SUPREME COUNCIL OF THE ARMED FORCES HAS BEEN PRODDED INTO MOVING FASTER. WE EXPECT TO SEE THESE TRIALS BACK ON THE FRONT PAGES FOR THE NEXT TWO MONTHS. THE KEY QUESTIONS ARE WHETHER THE COUNCIL WILL MEET THE OCTOBER DEADLINE AND, IF NOT, WHETHER THE CIVIL COURTS WILL TAKE OVER THE TRIALS. END COMMENT.

6. (U) SUPREME COURT REJECTS JUNTA MEMBERS' COMPLAINTS

THE SUPREME COURT OF ARGENTINA ON AUGUST 2 REJECTED COMPLAINTS FILED BY THE NINE MEMBERS OF THE FIRST THREE MILITARY JUNTAS, AS WELL AS BY FORMER BUENOS AIRES

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PROVINCE POLICE CHIEF AND RETIRED GENERAL RAMON CAMPS, WHO CONTENTED THAT THE "PEACETIME SUMMARY TRIALS" BEING CONDUCTED BY THE ARMED FORCES SUPREME COUNCIL VIOLATE THEIR CONSTITUTIONAL RIGHTS TO DEFENSE. THE SUPREME COURT ALSO REJECTED FORMER AIR FORCE COMMANDER BASILIO LAMI DOZO'S COMPLAINT THAT THE REPEAL BY CONGRESS OF THE FORMER REGIME'S SO-CALLED "SELF-AMNESTY" LAW WAS NOT VALID. THIS DECISION SETTLES THAT ISSUE ONCE AND FOR ALL.

7. [REDACTED] COMMENT: MILITARY SOURCES TELL US THAT VIDELA EXPECTS TO GO TO JAIL AND HAS NOT FLED THE COUNTRY BECAUSE OF HIS OWN PERSONAL HONOR AND A FEELING HE CAN HELP THE INSTITUTION OF THE ARMY BY STAYING AND FACING THE MUSIC. ORTIZ

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